TOWN OF EAST LONGMEADOW SPECIAL TOWN MEETING October 23, 2006

In accordance with the warrant of the Selectman, a Special Town Meeting was held in the Auditorium of the East Longmeadow High School on Monday evening, October 23, 2006. Town Moderator, Mr. James Sheils, called the meeting to order at 7:03PM; there being in excess of 100 registered voters present. Mr. Sheils offered the opening prayer and led the assembly in the Pledge of Allegiance. Mr. Sheils then proceeded with communicating the location of the fire exits.

Next, based on the new by-law change, The Town Moderator can now determine, without a count, whether a 2/3's quorum town vote has been obtained, subject to the right of challenge by seven (7) voters as authorized the Town By-Law, Section 2.030 Chapter 13. If seven (7) or more voters challenge the vote, a teller count shall be required. This was communicated by Mr. Sheils to those present in the auditorium.

Article 1

Planning Board & Public Works - Repair and Completion of Rollins Drive

Motioned that the Town appropriate from available funds the sum of \$48,732.00 for the construction, reconstruction, repair or maintenance of Rollins Drive. Said funds to be expended under the jurisdiction of the Department of Public Works.

ROLLINS DRIVE: a strip of land Sixty (60) feet in width beginning on the westerly side of Parker Street thence running Westerly a distance of approximately One Thousand twenty-three (1,023) feet to its terminus at a cul-de-sac, as shown on plans recorded in the Hampden County Registry of Deeds at Book 308, Page 20.

Passed by Majority vote as declared by Town Moderator.

Article 2

Planning Board & Public Works – Authorize Board of Selectman to Take In Fee Simple for Highway Purposes

Motioned that the Town authorize the Board of Selectman to take in fee simple, pursuant to Massachusetts General Laws, Chapter 79, or otherwise, accept as a public way the following street as recommended by the Planning Board and the Board of Public Works:

ROLLINS DRIVE: a strip of land Sixty (60) feet in width beginning on the westerly side of Parker Street thence running Westerly a distance of approximately One Thousand twenty-three (1,023) feet to its terminus at a cul-de-sac, as shown on plans recorded in the Hampden County Registry of Deeds at Book 308, Page 20.

Passed by Majority vote as declared by Town Moderator.

Board of Public Works – Appropriate Funds for Highway Construction and/or Reconstruction.

Motioned that the Town appropriate \$160,694.00 to be provided for by borrowing or otherwise, for highway construction and/or reconstruction or maintenance purposes, which is to be reimbursed by the Commonwealth of Massachusetts. Said money to be expended under the jurisdiction of the Board of Public Works.

Passed by Unanimous vote as declared by Town Moderator.

Article 4

Board of Public Works – Appropriate and Transfer Funds from Water Undesignated Fund Balance

Motioned that the Town appropriate \$374,890.00 from the Water Undesignated Fund Balance Account to the Prospect Water Tower Project Account #3079450 approved at the Town Meeting of May 2, 2005. Said funds to be expended under the jurisdiction of the Board of Public Works.

Passed by Unanimous vote as declared by Town Moderator.

Article 5

Board of Selectmen - Increase Local Cable Access Revolving Fund

Motioned that the Town increase the amount of money that can be expended from the Local Cable Access Revolving Fund annually to \$40,500.00

Passed by Majority vote as declared by Town Moderator.

Article 6

Board of Selectmen - Increase Amount of Money from Dog Revolving Account

Motioned that the Town increase the amount of money that can be expended from the Dog Fund Revolving Account to \$21,000.00 annually.

Passed by Unanimous vote as declared by Town Moderator.

Article 7

Board of Selectmen – Increase Health Agent Salary Account

Motioned that the Town raise and appropriate the sum of \$1,500.00 to be added to the Health Agent Salary Account.

Passed by Unanimous vote as declared by Town Moderator.

Board of Selectmen – Appropriate Monies for Supervision and Maintenance Activities at Pine Knoll

Motioned that the Town raise and appropriate a sum of \$5,250.00 to the Recreation Commission Account 5785 "Other expenses" to be used for supervision and maintenance activities at Pine Knoll

Passed by Majority vote as declared by Town Moderator.

Article 9

Board of Selectmen – Authorize Community Preservation Committee to Spend Revenues for Administrative Costs

Motioned that the Town authorize the Community Preservation Committee to spend up to 5% of the annual Community Preservation Act Revenues for administrative costs incurred by the Committee during the current fiscal year.

Passed by Majority vote as declared by Town Moderator.

Article 10

Planning Board – Amend Zoning By-laws, 1991 Revision Table 3-1

Motioned that the Town amend the East Longmeadow Zoning By-law, 1991 Revision, pursuant to M.G.L. Chapter 40A, to make changes to the Land Use Classification Table, Section 3.054, for the purpose of adding a district wherein a specific permitted use will apply:

3.054 Hospital or sanitarium, medical clinic:

To allow such use in the Industrial Garden District under Special Permit with special standards and conditions as cited in Section 7.2, subsection 7.33.

Passed by Unanimous vote as declared by Town Moderator.

Citizen Petition – Propose Special Legislation Authorizing the Town of East Longmeadow to Grant One (1) Additional Liquor License

Motioned that the Town authorize the Board of Selectman to submit to the Legislature for the Commonwealth of Massachusetts the following proposed Special Legislation: AN ACT AUTHORIZING THE TOWN OF EAST LONGMEADOW TO GRANT ONE (1) ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES. Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding section 17 of Chapter 138 of the General Laws, the Licensing Authority of the Town of East Longmeadow may grant one (1) additional license for the sale of all alcoholic beverages to be drunk on the premises under Section 12 of said Chapter 138: to be located within the retail/commercial development known as East Longmeadow Center Village, located at 84 Center Square within the Town of East Longmeadow. The license shall not be transferable off the premises and shall be subject to all of said Chapter 138, except said section 17.

SECTION 2. This act shall take effect upon its passage.

Motion made to amend Section 1 of original presentation of the Warrant Article which was incorrectly presented, to add: Provided, however that said license shall not be in addition to licenses that may be issued as a result of population increases in 2010 or subsequent years but shall reduce by one license that would otherwise be available due to any future increase in population. The amendment passed unanimously as declared by the Town Moderator

Article 11 passed by majority vote as declared by Town Moderator.

Article 12

Citizen Petition – Zoning By-Law Change for Parcel of Land at 94 Maple Street

Motioned that the Town amend the East Longmeadow Zoning By-law, 1991 Revision, pursuant to M.G.L. 40A, to make changes for the purpose of rezoning a certain parcel of land located at 94 Maple Street by removing the following described land from the Industrial and Residential C zoning district and establish the same as a Commercial district. The street address is 94 Maple Street and described as follows:

Beginning at a County Highway bound in the Southerly line of Maple Street, East Longmeadow, Massachusetts and running thence Northerly 74° 30' East along said Southerly line of Maple Street One Hundred Forty-Five and 74/100 (145.74) feet to an iron rod at the North Westerly corner of a twenty (20) foot right of way; thence Southerly

Article 12 cont.

0° 35' West along said Westerly line of said twenty (20) foot right of way, Two Hundred Sixty Four and 29/100 (264.29) feet to an iron rod at land now or formerly of Nellie and Erroll L. Buker; thence Northerly 84° 48' West along other land now or formerly of Nellie and Erroll L. Buker, One Hundred Sixty Seven and 92/100 (167.92) feet to an iron rod at other land now or formerly of Nellie and Erroll L. Buker; thence Northerly 5° 12' East along land now or formerly of Nellie and Erroll L. Buker, Two Hundred Seven and 89/100 (207.89) feet to an iron rod in the Southerly line of Maple Street; thence Northerly 73° 41' East along said Southerly line of Maple Street of Ten and 90/100 (10.90) feet to a County Highway bounded at the point of beginning.

The above described parcel of land containing 37,182 square feet and all is shown on a plan made by Durkee, White, and Towne Engineers and numbered 70-3231-A.

Passed by 2/3 Majority vote as declared by Town Moderator.

Article 13

Planning Board & Public Works – Authorize Board of Selectman to Take In Fee Simple and Accept as a Public Way

Motioned that the Town authorize the Board of Selectman to take in fee simple, pursuant to Massachusetts General Laws, Chapter 79, or otherwise, accept as a Public Way the following street:

Deerpark Drive: a strip of land Sixty (60) feet in width beginning at the westerly end of the previously accepted street and running westerly for a distance of approximately One Thousnad One Hundred Ninety-five (1,195) feet to its terminus at a cul-de-sac, as shown on plans recorded in the Hampden County Registry of Deeds at Book 334, Page 64.

Passed by Unanimous vote as declared by Town Moderator.

Article 14

Planning Board & Public Works – Authorize Board of Selectman to Take In Fee Simple and Accept as a Public Way

Motioned that the Town authorize the Board of Selectman take in fee simple, pursuant to Massachusetts General Laws, Chapter 79, or otherwise, accept as a Public Way the following street:

A Portion of Canterbury Circle – Great Woods Phase IV: a strip of land Sixty (60) feet in width beginning at a point 136.41 feet southwesterly from the intersection with Yorkshire Place and continuing southwesterly for approximately two thousand (2,000) feet, as shown on plans recorded in the Hampden County Registry of Deeds at Book 318, Page 27.

Passed by Majority vote as declared by Town Moderator.

Planning Board & Public Works – Authorize Board of Selectman to Take In Fee Simple and Accept as a Public Way

Motioned that the Town authorize the Board of Selectman take in fee simple, pursuant to Massachusetts General Laws, Chapter 79, or otherwise, accept as a Public Way the following street:

A Portion of Pembroke Terrace and Rockingham Circle – Great Woods Phase V: strips of land sixty (60) feet in width along Pembroke Terrace a distance of Five Hundred (500) feet and commencing at the intersection of Rockingham Circle and Pembroke Terrace running southeasterly on Rockingham Circle approximately Four Hundred (400) feet as shown on plans filed in the Hampden County Registry of Deeds at Book 322, Page 87.

Passed by Unanimous vote as declared by Town Moderator.

Article 16

Planning Board & Public Works – Authorize Board of Selectman to Take In Fee Simple and Accept as a Public Way

Motioned that the Town authorize the Board of Selectman take in fee simple, pursuant to Massachusetts General Laws, Chapter 79, or otherwise, accept as a Public Way the following street:

Abbey Lane – Great Woods Phase VI: a strip of land sixty (60) feet in width beginning at the intersection of Pembroke Terrace running then northwesterly and then northeasterly to a cul-de-sac approximately Six Hundred Fifty (650) feet as shown on plans filed with the Hampden County Registry of Deeds at Book 330, Page 127

Passed by Unanimous vote as declared by Town Moderator.

Article 17

Planning Board & Public Works – Authorize Board of Selectman to Take In Fee Simple and Accept as a Public Way

Motioned that the Town authorize the Board of Selectman take in fee simple, pursuant to Massachusetts General Laws, Chapter 79, or otherwise, accept as a Public Way the following street:

A Portion of Canterbury Circle – Great Woods Phase VII: a strip of land Sixty (60) feet in width beginning at a point at the previously accepted portion of Canterbury Circle as described in Phase II thence in a northwesterly then southeasterly direction a distance of approximately One Thousand Three Hundred Forty-five (1,345) feet, as shown on plans recorded in the Hampden County Registry of Deeds at Book 334 Page 61.

Passed by Unanimous vote as declared by Town Moderator.

Planning Board & Public Works – Authorize Board of Selectman to Take In Fee Simple and Accept as a Public Way

Motioned that the Town authorize the Board of Selectman take in fee simple, pursuant to Massachusetts General Laws, Chapter 79, or otherwise, accept as a Public Way the following street:

Rockingham Circle – Great Woods Phase IX: a strip of land Sixty (60) feet in width beginning at a point at the previously accepted portion of Rockingham Circle as described in Phase V, thence in a northwesterly direction a distance of approximately Five Hundred Sixty (560) feet to its terminus at a cul-de-sac, as shown on plans recorded in the Hampden County Registry of Deeds at Book 338, Page 23.

Passed by Unanimous vote as declared by Town Moderator.

Article 19

Planning Board & Public Works – Authorize Board of Selectman to Take In Fee Simple and Accept as a Public Way

Motioned that the Town authorize the Board of Selectman take in fee simple, pursuant to Massachusetts General Laws, Chapter 79, or otherwise, accept as a Public Way the following street:

Glynn Farms Extension: a strip of land Sixty (60) feet in width beginning at the end of the previously accepted portion of Glynn Farms Drive thence in a southerly direction a distance of approximately One Hundred Thirty-eight (138) feet to its terminus at a culde-sac, as shown on plans recorded in the Hampden County Registry of Deeds at Book 332, Page 33.

Passed by Unanimous vote as declared by Town Moderator.

Motion to Adjourn

The Annual Town Meeting was adjourned at 8:54 p.m., the business of the Warrant having been completed.

Certificate of Quorum

This is to certify that more than 100 Registered Voters were present at the Special Town Meeting held on October 23, 2006. Voter attendance was recorded as follows:

	240
Precinct 4	<u>75</u>
Precinct 3	72
Precinct 2	37
Precinct 1	56

True Record: Attest:

Thomas P. Florence Town Clerk

Retyped September 2015 to include the language of the Warrant